

**AGENDA
MAINE STATE HARNESS RACING COMMISSION
MEETING**

July 17, 2019

Gambling Control Board Conference Room

Department of Public Safety

45 Commerce Drive, Augusta, Maine

Starting Time 9:00 a.m.

1. **Call the Meeting to Order and Introductions:** Michael Timmons, Chair
2. **Review and Approval of Minutes**
Review and Approval of Decision and Orders
3. **Discussion Relating to Complaints about Racing Venues.** The Commission will discuss complaints concerning the condition of Maine's racing venues.
4. **Overview of 2019 Prohibited Substance Enforcement Policy.** The Commission's staff investigated how other licensing agencies process enforcement cases and sought an alternative approach that should allow more cases to be resolved via administrative consent agreements as opposed to adjudicatory hearings. For most agencies, consent agreements are the preferred method because they avoid the time and expense associated with adjudicatory hearings, and because the cooperation shown by the licensee warrants consideration that results in a lower penalty.
5. **Consent Agenda:**
 - a. **RE: Michael Hitchcock, Complaint Numbers 2018 MSHRC 14 & 15.** Trainer Michael Hitchcock has tentatively agreed to settle complaint numbers 2018 MSHRC 14 and 15 arising from two positive tests showing elevated levels of total carbon dioxide at the Northern Maine Fair on August 3, 2018.
 - b. **RE: Paul Battis, Complaint Number 2018 MSHRC 10.** Trainer Paul Battis has tentatively agreed to settle complaint number 2018 MSHRC 10 arising from a positive test showing an elevated level of dexamethasone at Scarborough Downs on July 7, 2018.
 - c. **RE: Alli Hiscock, Complaint Number 2018 MSHRC 11.** Trainer Alli Hiscock has tentatively agreed to settle complaint number 2018 MSHRC 11 arising from a positive test showing an elevated level of dexamethasone at Scarborough Downs on July 7, 2018.
 - d. **RE: David White, Complaint Number 2018 MSHRC 08.** Trainer David White has tentatively agreed to settle complaint number 2018 MSHRC 08 arising from a positive test showing an elevated level of dexamethasone at Scarborough Downs on July 1, 2018.
 - e. **RE: David White, Complaint Number 2018 MSHRC 17.** Trainer David White has tentatively agreed to settle complaint number 2018 MSHRC 17 arising from a positive test showing an elevated level of mepivacaine at Cumberland Fair on September 29, 2018.

6. Adjudicatory Hearings:

- a. RE: James Dunn, Complaint Number 2018 MSHRC 13.** Mr. Dunn is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Dunn is the trainer of record for the horse, “J J S Jet”. A blood sample obtained from J J S Jet following the Sixth Race at Bangor Raceway on July 20, 2018, showed an elevated level of dexamethasone.
- b. RE: Randall Smith, Complaint Number 2019 MSHRC 01.** Mr. Smith is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Smith is the trainer of record for the horse, “For Kevin’s Sake”. A blood sample obtained from For Kevin’s Sake following the Third Race at Scarborough Downs on April 20, 2019, showed an elevated level of total carbon dioxide.

7. 2020 Race Date Hearing Process. Last year, the Commission held a one-day hearing in November to determine the race calendar for the following year. The staff believes the one-day hearing does not allow for sufficient consideration and analysis of all that factors that go into development of the calendar. The staff proposes that the race date hearing begin in September with presentation of proposals, and continue through the October and (if necessary) November to allow for a more deliberative, methodical process.

8. Overview/Update on Prohibited Substance Testing. Miles Greenleaf will give an overview/update of the prohibited substance testing results.

9. Other Business

- a. Grant Request by the Cornish Trotting Park

10. Public Comment

11. Schedule of Future Meetings:
August 23, 2019

12. Adjourn